

Saima Kadir

January 23, 2025

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

FOOD NOT BOMBS HOUSTON,	§	
ET AL.,	§	
	§	
PLAINTIFFS,	§	Case No. 4:24-cv-338
	§	
v.	§	(Consolidated Case No.
	§	4:23-cv-1206)
CITY OF HOUSTON, TEXAS.	§	
	§	
DEFENDANT.	§	

ORAL DEPOSITION OF
SAIMA KADIR
JANUARY 23, 2025

ORAL DEPOSITION OF SAIMA KADIR, produced as a witness at the instance of the Plaintiffs and duly sworn, was taken in the above styled and numbered cause on Thursday, January 23, 2025, from 9:32 a.m. to 3:34 p.m., before DONNA QUALLS, Notary Public in and for the State of Texas, Notary ID No. 12161359, reported by computerized stenotype machine, at the offices of Houston City Hall Annex, 900 Bagby Street, 4th Floor, Houston, Texas, pursuant to the Federal Rules of Civil Procedure, and any provisions stated on the record or attached hereto.

EXHIBIT

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exhibitmaker.com

MAGNA 
LEGAL SERVICES

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Pages 106 to 109

<p style="text-align: right;">Page 106</p> <p>1 to walk towards their bus stop or walk towards the 2 garage. There were situations -- instances where staff 3 were heckled by people who were lining up. 4 Again, these are instances that staff 5 shared with me or shared with other staff who then told 6 me that this is what was happening. And staff was 7 concerned about these things happening outside the 8 building. 9 Q. Do you remember about how many times you heard 10 about someone being heckled? 11 A. I would like to say multiple times, but I can't 12 give an exact number. 13 Q. Do you remember any other specific behavior? 14 A. I don't remember anything specific around 15 January 2023 time frame. 16 Q. And at that time you also mentioned in your 17 e-mail that people sometimes leave a rock on the 18 sidewalk to mark their space in the queue; is that 19 correct? 20 A. That's what I -- that's what the e-mail shows. 21 Q. Have you seen those rocks on the sidewalk? 22 A. I have seen some object. It could be a rock. 23 It could be a brick. It could be a stone as I leave the 24 building. 25 Q. Can you describe where that would be?</p>	<p style="text-align: right;">Page 108</p> <p>1 sidewalk as well. 2 Q. So you see the rocks or objects anytime you see 3 the line? 4 A. Yes. Uh-huh. 5 Q. Okay. And have you heard about the rocks or 6 objects from other staff members? 7 A. I have heard from other staff members that 8 there are rocks -- that people are using rocks or bricks 9 to mark their spot in the line. 10 Q. How many times have you heard that? 11 A. Multiple times. I can't give you an exact 12 number. 13 Q. More than five? 14 A. Definitely more than five. 15 Q. More than ten? 16 A. I don't know. 17 Q. And this was all around January 2023? 18 A. This is around that time. 19 Q. And have you continued to see people lining up 20 outside of McKinney? 21 A. Yes, I have seen people lining up. 22 Q. Until the present? 23 A. Until the present. 24 Q. Have you continued to hear from staff about the 25 line?</p>
<p style="text-align: right;">Page 107</p> <p>1 A. Okay. Let me think. It would be on the 2 sidewalk. And as I mentioned previously, people start 3 queuing up sometime around or before 5:00 o'clock. 4 These are in some cases a very long lines. And 5 sometimes they use a marker such as a physical object 6 like a rock or a brick to mark their spot in the queue 7 and then go elsewhere. 8 Q. How do you know what the objects were used for? 9 A. I can deduce based on other people waiting in 10 what seems to be a line formation, a line of some kind. 11 Q. And so you personally saw those objects when 12 you were leaving the building? 13 A. Yes, I have seen that. 14 Q. And that's when you take the bus to work? 15 A. No. This is -- this is when I leave the 16 parking garage. 17 Q. Leave the parking garage? 18 A. Yes. 19 Q. So you see the objects from your car? 20 A. I can, yes. 21 Q. How often would you see that? 22 A. I think I mentioned it before that the lines 23 form at least two to three times a week. So whenever 24 there's a group of people or there's a line or there's a 25 gathering of people, I see that rock or something on the</p>	<p style="text-align: right;">Page 109</p> <p>1 A. Yes. 2 Q. Have you continued to see the rocks and objects 3 used? 4 A. Yes, I have. 5 Q. Have you continued to hear from staff about the 6 rocks and objects used to mark places? 7 A. Yes, I have. 8 Q. Has anything changed about the line or the 9 rocks? 10 A. Not that I can think of. 11 Q. Have you continued to hear from staff about 12 heckling? 13 A. I don't remember. 14 Q. Have you continued to hear from staff about any 15 behavior other than the large group of people on the 16 street? 17 A. I've heard from staff about their -- their 18 concern. One of the things that some staff members have 19 shared is they feel uncomfortable because there is a 20 large gathering. They then go a different direction to 21 get to the bus stop. 22 Q. Do you know what about the large gathering 23 makes them uncomfortable? 24 A. I don't know. That was not shared with me. 25 Q. And these were concerns that were reported to</p>

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<p style="text-align: right;">Page 110</p> <p>1 you by your staff?</p> <p>2 A. They were relayed to me by staff or by staff</p> <p>3 supervisors.</p> <p>4 Q. Have you felt uncomfortable going through that</p> <p>5 area?</p> <p>6 A. No. I've been working at the Central Library</p> <p>7 for 20 years; so I don't feel uncomfortable. But that's</p> <p>8 just my opinion. I can only speak for myself.</p> <p>9 Q. And your staff hasn't given you details why</p> <p>10 they're uncomfortable, right?</p> <p>11 A. I don't have knowledge of much details about</p> <p>12 why they feel this way.</p> <p>13 Q. And so when they feel or sometimes staff goes</p> <p>14 an alternate route to the bus stop?</p> <p>15 A. That's what staff conveys to me.</p> <p>16 Q. What is the ultimate route to the bus stop?</p> <p>17 A. I am not sure.</p> <p>18 Q. Were there more of these concerns when the</p> <p>19 library was open late?</p> <p>20 A. I have not compared; so I can't say yes or no</p> <p>21 to that question.</p> <p>22 Q. You don't -- you don't know?</p> <p>23 A. I can't answer that question with a yes or a no</p> <p>24 since I have not compared.</p> <p>25 Q. Okay. When was the last time that you saw the</p>	<p style="text-align: right;">Page 112</p> <p>1 at that time either.</p> <p>2 Q. Did you ever talk to any of the volunteers with</p> <p>3 the charitable feedings at that time?</p> <p>4 A. I did not.</p> <p>5 Q. And you said that you would leave the library</p> <p>6 before closing time on those days, right?</p> <p>7 A. My schedule is usually between 8:00 and 5:00.</p> <p>8 Q. Even when the library was open later?</p> <p>9 A. Even when the library was open later, yes.</p> <p>10 Yes, most of the time my schedule would be between 8:00</p> <p>11 and 5:00.</p> <p>12 Q. So do you know if there was charitable feedings</p> <p>13 happening on the days when the library was open late?</p> <p>14 A. I don't know myself, but I've heard from</p> <p>15 various staff members that there were feedings taking</p> <p>16 place.</p> <p>17 Q. What did your staff tell you about the</p> <p>18 feedings?</p> <p>19 A. What staff shared was that there are feedings</p> <p>20 taking place. There are large gatherings. And the</p> <p>21 aftermath of the feedings, which happens after the</p> <p>22 library is closed, is the trash that's not in the proper</p> <p>23 trash receptacles. There's waste matter -- food, trash,</p> <p>24 food containers.</p> <p>25 Q. Did you personally see any of these things?</p>
<p style="text-align: right;">Page 111</p> <p>1 rocks or objects in the line?</p> <p>2 A. Sometime last week.</p> <p>3 Q. And what was it that you saw?</p> <p>4 A. Some type of object marking somebody's place in</p> <p>5 the line.</p> <p>6 Q. And when did the library change its closing</p> <p>7 time from 8:00 to 6:00 on Tuesday and Thursday?</p> <p>8 A. Unfortunately, I don't remember the exact date.</p> <p>9 But it was sometime in early 2023.</p> <p>10 Q. Do you know why they changed the closing time?</p> <p>11 A. I don't know the exact reasons, but two</p> <p>12 possibilities were having to deal with low staff -- low</p> <p>13 staffing levels and security concerns for staff at that</p> <p>14 time in the evening.</p> <p>15 Q. Do you know what the security concerns were?</p> <p>16 A. I am not sure of the exact security concerns,</p> <p>17 but it was because of gatherings and heckling and staff</p> <p>18 feeling uncomfortable walking through and having to walk</p> <p>19 around to get to their bus stop.</p> <p>20 Q. And just to confirm, the only days that the</p> <p>21 library was open late was Tuesdays and Thursdays?</p> <p>22 A. At that time, yes.</p> <p>23 Q. And you were not sure how many groups were</p> <p>24 conducting charitable feedings at that time?</p> <p>25 A. That is correct. I don't know. I didn't know</p>	<p style="text-align: right;">Page 113</p> <p>1 A. Over the years, I have personally seen all of</p> <p>2 these things in some combination on the library</p> <p>3 sidewalks.</p> <p>4 Q. Looking back at your e-mail, can you read the</p> <p>5 second sentence of the first paragraph?</p> <p>6 A. Are you referring to the e-mail from</p> <p>7 January 9th, 2023?</p> <p>8 Q. I am.</p> <p>9 A. Okay. Second -- second sentence of the first</p> <p>10 paragraph.</p> <p>11 Q. Yes. Picking up where you were before.</p> <p>12 A. "Park staff continued to clean up the aftermath</p> <p>13 in the mornings, cleaning up food waste, paper" --</p> <p>14 "paper, boxes, et cetera."</p> <p>15 Q. Is this what you were just referring to?</p> <p>16 A. In some combination, yes.</p> <p>17 Q. At the time you wrote this e-mail, had you</p> <p>18 personally seen the food waste, paper boxes, et cetera?</p> <p>19 A. Yes, I had in the mornings.</p> <p>20 Q. How many times had you seen it?</p> <p>21 A. I don't remember that.</p> <p>22 Q. Frequently?</p> <p>23 A. I'm not sure what "frequently" means.</p> <p>24 Q. Multiple times?</p> <p>25 A. I can't say. You know, I don't know.</p>

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<p style="text-align: right;">Page 114</p> <p>1 Q. Did you see the trash in the morning when you 2 were driving in to work? 3 A. Sometimes I would see them on the sidewalk, and 4 then other times I would walk around the perimeter of 5 the plaza and notice this trash on the sidewalks. 6 Q. Always in the mornings? 7 A. It was always -- well, I don't want to say 8 always. I'm sorry. Usually in the mornings. 9 Q. Why would you walk around the perimeter of the 10 plaza? 11 A. I would walk around the perimeter of the plaza 12 because staff would have conveyed their concern about 13 this trash. In my role as chief of Central, I was no 14 longer a bus rider. I was driving in; therefore, I 15 didn't experience what was left on the sidewalks 16 firsthand. 17 Q. So that was what you saw around January 2023, 18 right? 19 A. That is correct. 20 Q. Do you still see the same level of trash in the 21 mornings? 22 A. So I still drive in, and I don't see it. Every 23 once in a while staff will relay to me that there's 24 still trash on the sidewalks. There's still smell of 25 urine.</p>	<p style="text-align: right;">Page 116</p> <p>1 A. I have not said that it comes from any specific 2 group or organization. 3 Q. Okay. How do you know that they come from -- 4 that the waste comes from any feedings, any charitable 5 feeding, near the library? 6 A. I can deduce that it comes from some type of 7 feeding because there are multiple boxes. The amount of 8 waste -- the garage can is full, and it's overflowing. 9 It seems obvious to me at least that some type of public 10 feeding, some type of feeding, took place the evening 11 before. 12 Q. Okay. What days -- do you know what days of 13 the week you see this? 14 A. No, I don't remember. 15 Q. Okay. Do you have any memory of which days you 16 go out and walk around the plaza? 17 A. No, I don't have a set routine or schedule. 18 Q. Okay. Have you heard from staff about these 19 concerns? 20 A. Yes, I have heard from staff. 21 Q. Have the things you've heard from staff changed 22 at all? 23 A. No, they haven't changed. What I heard from 24 staff is mostly about trash on the sidewalks. 25 Q. What did they say about the trash on the</p>
<p style="text-align: right;">Page 115</p> <p>1 Q. So you don't see it from your car anymore? 2 A. I didn't see it from my car. It was only when 3 I was a bus rider that I would have to walk to the 4 building. I would see it on the sidewalk. And then 5 when I would walk around to the perimeter myself, that's 6 when I would see it, yeah. 7 Q. Do you still walk around the perimeter? 8 A. Sometimes I do walk around the perimeter. 9 Q. Do you still see trash when you walk around the 10 perimeter? 11 A. Sometimes I do see trash. 12 Q. Is it the same level of trash? 13 A. It varies. 14 Q. When was the last time you walked around and 15 observed trash around the plaza? 16 A. I'm not sure if it was last week or the week 17 before but fairly recently. 18 Q. How do you know that trash is from feedings? 19 A. There is food waste, half-eaten food, Styrofoam 20 containers that have leftover food. Sometimes -- I'm 21 sorry to say this -- there is vomit on the sidewalk also 22 that's pretty indicative that food was consumed on the 23 premises. 24 Q. Do you know the -- how do you know that this 25 comes from the Food Not Bombs feedings?</p>	<p style="text-align: right;">Page 117</p> <p>1 sidewalks? 2 A. It's basically what's written in this e-mail -- 3 food waste, paper, boxes. 4 Q. Okay. And you said sometimes you see piles of 5 trash around the garbage can? 6 A. Yes, there are piles of trash around the garage 7 can that's already full. 8 Q. Have you ever heard any discussion of putting 9 additional receptacles outside? 10 A. I don't remember. 11 Q. We are going to show you one more exhibit. 12 Have you seen this photo before? 13 A. I don't recall seeing this photo before. 14 Q. Does this photo reflect what you see when you 15 described trash stacked up next to the garbage? 16 A. Yes, it does. 17 Q. Sorry. We are marking this as Exhibit 9. 18 (Exhibit No. 9 was marked.) 19 Q. (BY MS. PETCHENIK) So this is how trash is 20 stacked up next to the trash can? 21 A. Not all the time. This is a very neat pile. 22 From my experience, it's scattered all over the 23 sidewalk. 24 Q. When was the last time you saw it scattered all 25 over the sidewalk?</p>

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<p style="text-align: right;">Page 118</p> <p>1 A. I don't remember.</p> <p>2 Q. In the past month?</p> <p>3 A. I'm sorry. I don't remember.</p> <p>4 Q. Do you remember it scattered on the sidewalk in</p> <p>5 the past year?</p> <p>6 A. I can say most likely in the past year.</p> <p>7 Q. Do you know who stacked up the trash like this?</p> <p>8 A. I don't know.</p> <p>9 Q. But you have seen it stacked like this</p> <p>10 sometimes?</p> <p>11 A. There have been times when I have seen the</p> <p>12 trash stacked like this.</p> <p>13 Q. Have you spoken with any Food Not Bombs</p> <p>14 volunteer about the trash issue?</p> <p>15 A. I have not.</p> <p>16 Q. Have -- to your knowledge, has anyone on your</p> <p>17 staff spoken with Food Not Bombs volunteers about the</p> <p>18 trash issue?</p> <p>19 A. I don't know.</p> <p>20 Q. So you haven't seen trash scattered on the</p> <p>21 sidewalk many times in the past year?</p> <p>22 A. I can't give you an exact number.</p> <p>23 Q. Was that something you saw more closer to the</p> <p>24 time you wrote that e-mail in 2023?</p> <p>25 A. I don't -- I don't remember.</p>	<p style="text-align: right;">Page 120</p> <p>1 makes the sidewalk wobbly and uncomfortable. Some staff</p> <p>2 members may have some mobility challenges similar to</p> <p>3 some of the library customers who may have mobility</p> <p>4 challenges. And that's really a safety hazard.</p> <p>5 Q. Have you seen anyone prying the bricks out from</p> <p>6 the sidewalk?</p> <p>7 A. I have not seen, but I've heard from staff.</p> <p>8 And there might have even been incident reports about</p> <p>9 this.</p> <p>10 Q. So you heard from staff who have seen it</p> <p>11 happen?</p> <p>12 A. I might have. I'm not sure 100 percent.</p> <p>13 Q. Okay. So you don't remember if you've heard</p> <p>14 from staff who witnessed someone prying a brick out?</p> <p>15 A. I don't want to say yes or no. There might</p> <p>16 have been incident reports about this, but I don't</p> <p>17 remember exactly.</p> <p>18 Q. None that you can specifically tell me about?</p> <p>19 A. That is correct.</p> <p>20 Q. Okay. And have you heard from staff who have</p> <p>21 personally felt uncomfortable walking on the sidewalk?</p> <p>22 A. I have.</p> <p>23 Q. Because of mobility issues?</p> <p>24 A. I have heard from staff who feel uncomfortable</p> <p>25 walking because of these gaps in the sidewalk.</p>
<p style="text-align: right;">Page 119</p> <p>1 Q. If you look in the distance in that photo,</p> <p>2 there are some bricks and rocks?</p> <p>3 A. Yes, I do see that.</p> <p>4 Q. Is that what you were describing when you say</p> <p>5 people use objects to hold their place in line?</p> <p>6 A. Yes, I was.</p> <p>7 Q. And that's how they stack the objects like we</p> <p>8 see in that photo to save their place?</p> <p>9 A. That seems to be correct.</p> <p>10 Q. And you've observed this arrangement before?</p> <p>11 A. Yes, I have.</p> <p>12 Q. So you heard from your staff complaints about</p> <p>13 the trash and the objects left behind and their</p> <p>14 discomfort walking through the crowd.</p> <p>15 Did you receive other complaints from</p> <p>16 staff?</p> <p>17 A. I might have received other accounts of their</p> <p>18 discomfort. I would like to point out, Exhibit 9, where</p> <p>19 we see these rocks, do you see those gaps in the</p> <p>20 sidewalk? I am not sure if these bricks or sometimes</p> <p>21 referred to as pavers are pried from the sidewalk, but</p> <p>22 this leaves a gap, and that causes some mobility</p> <p>23 concerns. And staff has brought that to my attention</p> <p>24 also.</p> <p>25 That's another reason, because it makes --</p>	<p style="text-align: right;">Page 121</p> <p>1 Q. Okay. This gap on the edge of the sidewalk,</p> <p>2 right, is what we're looking at?</p> <p>3 A. That is correct.</p> <p>4 Q. Okay. Have you seen the gap yourself?</p> <p>5 A. I have seen the gap. I have seen it on</p> <p>6 McKinney's side. I have seen it on Smith side and also</p> <p>7 on Lamar's side.</p> <p>8 Q. And do you have any way of knowing if the</p> <p>9 people who -- if whoever took the bricks out in this way</p> <p>10 was associated with Food Not Bombs?</p> <p>11 A. There is no way for me to establish that</p> <p>12 conclusion.</p> <p>13 Q. Do you have any way of knowing if they were</p> <p>14 associated with a charitable feeding?</p> <p>15 A. There is really no way for me to establish that</p> <p>16 conclusion either.</p> <p>17 Q. Other people use the plaza, right?</p> <p>18 A. So when you refer to "the plaza," it's that</p> <p>19 open space between the two library buildings. And lots</p> <p>20 of people use the plaza when it's open, when the library</p> <p>21 is open.</p> <p>22 Q. And other people walk around in front of the</p> <p>23 Ideson Building in that area as well?</p> <p>24 A. Yes.</p> <p>25 Q. I think there is a bus tour that picks up in</p>

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1 COUNTY OF HARRIS)
2 STATE OF TEXAS)

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4 REPORTER'S CERTIFICATION
5

6 I, Donna Qualls, Notary Public in and for the State
7 of Texas, Notary ID No. 12161359, hereby certify that
8 this transcript is a true record of the testimony given
9 and that the witness was duly sworn by the notary.

10 I further certify that I am neither attorney nor
11 counsel for, related to, nor employed by any of the
12 parties to the action in which this testimony was taken.

13 Further, I am not a relative or employee of any
14 attorney of record in this cause, nor do I have a
15 financial interest in the action.

16 Subscribed and sworn to on this the 5th day of
17 February, 2025.

18 
19

20 DONNA QUALLS

21 Notary Public in and for
22 The State of Texas, Notary ID 12161359
23 My Commission expires 11/06/2026

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